

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

**JUDGMENT INCLUDING SENTENCE
UNDER THE SENTENCING REFORM ACT**

V.

DAVID MAIS

Case Number 2:00cr00054-001

John Knorr, Esquire
Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count one (1).

Accordingly, the court has adjudicated that the defendant is guilty of the following offense:

Title and Section	Nature of Offense	Date Offense Concluded	Count Number
21 USC § 846	Conspiracy to distribute and possess with intent to distribute in excess of 50 grams of cocaine base, in the form commonly known as crack, and in excess of 500 grams of cocaine	3/1997	One (1)

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

X Counts 2 through 14 are dismissed on the motion of the United States.

X It is ordered that the defendant shall pay to the United States a special assessment of \$100, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

05961-068

Defendant's USM No.

April 16, 2007

Date of Imposition of Sentence



Signature of Judicial Officer
DAVID STEWART CERCONE
U.S. District Judge

April 30, 2007

Date

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IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 36 months at Count 1.

X The defendant is remanded to the custody of the United States Marshal.

X The Court makes the following recommendations to the Bureau of Prisons:

1. The court recommends that the defendant be designated to a Bureau of Prisons facility in close proximity to Orlando, Florida to allow him to maintain contact with his family, specifically his children.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____

_____ at _____,

with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years at Count 1.

While on supervised release, the defendant shall not commit another federal, state or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- X The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- X The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- X Additional conditions:
 1. The defendant shall not use or possess controlled substances except as prescribed by a licensed medical practitioner for a legitimate medical purpose.
 2. Defendant shall be deported if, after notice and a hearing, pursuant to the Immigration and Naturalization Act, 8 U.S.C. § 1228(d)(5), the Attorney General demonstrates by clear and convincing evidence that the defendant is deportable.
 3. If deported, defendant shall not reenter the United States without legal authorization.

For offenses committed on or after September 13, 1994:

- X The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.
- The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.

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STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another federal, state or local crime;
- 2) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) The defendant shall support his or her dependents and meet other family responsibilities;
- 6) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history of characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

These conditions are in addition to any other conditions imposed by this Judgment.

Upon finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

All of the conditions listed in this order have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signature)

(Date)

U.S. Probation Officer/Designated Witness

(Date)